

(Del. Rev. 11/14) Pro Se General Complaint Form

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

United Capitals Limited

*(In the space above enter the full name(s) of the plaintiff(s).)*

-against-

ByteDance Inc.

TikTok Inc.

Yiming Zhang

*(In the space above enter the full name(s) of the defendant(s).  
If you cannot fit the names of all of the defendants in the  
space provided, please write "see attached" in the space  
above and attach an additional sheet of paper with the full list  
of names. The names listed in the above caption must be  
identical to those contained in Section I. Do not include  
addresses here.)*

Civ. Action No. 20 - 1272

(To be assigned by Clerk's  
Office)

**COMPLAINT  
(Pro Se)**

Jury Demand?

☐ Yes

☒ No

**NOTICE**

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

If this is an employment discrimination claim or social security claim, please use a different form.

**Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.**

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**I. PARTIES IN THIS COMPLAINT****Plaintiff**

*List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.*

Plaintiff: United Capitals Limited  
 Name (Last, First, MI)

Rm 308, 3/F, Solo, 83 Bedford Road, Tai Kok.Tsui, Kowloon  
 Street Address

Hong Kong  
 County, City State Zip Code

+852 6200 3453 rrr79797@gmail.com  
 Telephone Number E-mail Address (if available)

**Defendant(s)**

*List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.*

Defendant 1: ByteDance Inc.  
 Name (Last, First)

250 Bryant St.  
 Street Address

Mountain View California CA 94041  
 County, City State Zip Code

Defendant 2: TikTok Inc.  
 Name (Last, First)

5800 Bristol Pkwy  
 Street Address

Culver City California CA 90230  
 County, City State Zip Code

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**Defendant(s) Continued**

Defendant 3: Yiming Zhang

Name (Last, First)

250 Bryant St.

Street Address

Mountain View

California

CA 94041

County, City

State

Zip Code

Defendant 4:

Name (Last, First)

Street Address

County, City

State

Zip Code

**II. BASIS FOR JURISDICTION***Check the option that best describes the basis for jurisdiction in your case:*

- ☐ **U.S. Government Defendant:** United States or a federal official or agency is a defendant.
- ☒ **Diversity of Citizenship:** A matter between individual or corporate citizens of different states and the amount in controversy exceeds \$75,000.
- ☐ **Federal Question:** Claim arises under the Constitution, laws or treaties of the United States.

If you chose "Federal Question", state which of your federal constitutional or federal statutory rights have been violated.

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**III. VENUE**

*This court can hear cases arising out of the Counties of New Castle, Kent, and Sussex in the State of Delaware.*

*Under 28 U.S.C § 1391, this is the right court to file your lawsuit if: (1) All defendants live in this state AND at least one of the defendants lives in this district; OR (2) A substantial part of the events you are suing about happened in this district; OR (3) A substantial part of the property that you are suing about is located in this district; OR (4) You are suing the U.S. government or a federal agency or official in their official capacities and you live in this district. Explain why this district court is the proper location to file your lawsuit.*

Venue is appropriate in this Court because:

Defendant ByteDance Inc. registered at Delaware.

Defendant Yiming Zhang is the founder of ByteDance Inc.

~~Defendant TikTok Inc. is found by Yiming Zhang.~~

**IV. STATEMENT OF CLAIM**

Place(s) of  
occurrence:

Delaware

Date(s) of occurrence: 2016

*State here briefly the FACTS that support your case. Describe how each defendant was personally involved in the alleged wrongful actions.*

**FACTS:** 1. Plaintiff created a video entertainment concept in 2015 and was privately seeking for investor in Beijing. 2. In 2015, Plaintiff began to develop a business plan for a new type of short video mobile software application. This application would allow users to create short videos in a mobile software application, and give users a place to show, exchange video, discuss, and serve as an on-line entertaining video platform. Initially, this application was to planned to serve China, USA, Europe, Asia, Hong Kong together, and intended to expand to other countries in the future. 3. Plaintiff's ~~business model, which was based on advertising revenue, had a significant chance of financial success because of the inovative ideas, low cost, highly entertaining videos and users are an attractive demographic for many companies.~~ 4. Plaintiff privately invited potential investors to invest the mobile application. All invited potential investor has the responsibility to keep the trade secret and not to disclose and use of this business plan and concept. Defendant was invited to attend a private investment meeting.

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What  
happened to  
you?

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5. The business concept was released orally to the Defendant under the condition of non-disclosure responsibility of the business plan and concept. 6. Under the non-disclosure responsibility, Defendant was entrusted with Plaintiff's business management information and procedures, including descriptions of the application's business model, market development, various functionality and content concepts, and the type of information that would be collected from users. Defendant understood that this business management information and procedures were secret and agreed to keep them confidential. Defendant also understood that it was important to the success of Plaintiff's business model to make the application operational as soon as possible before any competitor did so. With respect to Mobile application, the first to capture a market has a substantial advantage. 7. On September 2016, defendant using Plaintiff's confidential business plans and concept that provided by Plaintiff, Defendants launched a similar mobile application. This launch usurped Plaintiff's valuable business opportunity. 8. Defendant disclosed and used Plaintiff's confidential business information to launch of two competing Mobile application called Tiktok and Douyin. 9. Defendants' unlawful use of Plaintiff's proprietary business plans allowed Tiktok and Douyin to come to market first, thereby obtaining press coverage and users/ members that would otherwise have benefited Plaintiff. 10. Defendants' market advantage, directly and proximately resulting from Defendant's breach of non-disclosure responsibility, misappropriation of trade secrets, breach of duty of good faith and fair dealing, and Defendants' unjust enrichment, and intentional interference with prospective business advantage, usurped Plaintiff's potential market share and related business opportunities.

Was anyone  
else  
involved?

1. Plaintiff United Capitals Limited is a limited liability corporation in Hong Kong (China) with a principal place of business at Rm308, 3/F, Solo, 83 Bedford Road, Tai Kwok Tsui, Kowloon, Hong Kong, China.

2. Upon information and belief, Defendants Yiming Zhang is an individual with a place of residence in New York.

3. Upon information and belief, Defendants Bytedance Inc. is a limited liability of the state of Delaware with a principle place of business at 250 BRYANT ST. MOUNTAIN VIEW CA 94041.

4. Upon information and belief, Defendants Tiktok Inc. is a limited liability of the state of Delaware with a principle place of business at 5800 BRISTOL PKWY CULVER CITY CA 90230

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Who did  
what?

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**V. INJURIES**

*If you sustained injuries related to the events alleged above, describe them here.*

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**VI. RELIEF**

The relief I want the court to order is:

- ☒ Money damages in the amount of: \$ 10,000,000,000
- ☐ Other (explain):

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## VII. CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; and (3) complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

14<sup>th</sup> Sep, 2020  
Dated

  
Plaintiff's Signature

United Capitals Limited (Shareholder: Kin Tung Lam)  
Printed Name (Last, First, MI)

Rm 308, 3/F, Solo, 83 Bedford Road, Tai Kok Tsui, Kowloon, Hong Kong, China  
Address City State Zip Code

+852 6200 3453  
Telephone Number

rrr79797@gmail.com  
E-mail Address (if available)

*List the same information for any additional plaintiffs named. Attach additional sheets of paper as necessary.*

**Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.**



TG0190-0

Pos 460 (03/2018)

PLEASE WRITE OR PRINT FIRMLY

<b>Speed Post 特快專遞</b> 香港郵政 HONGKONG POST 郵件編號 Item No. EA 313 781 119 HK			
寄件人姓名及地址 NAME AND ADDRESS OF SENDER Roy Lam Rm 308, 3/F, Solo, 83 Bedford Road, Tai Kok Tsui, Kowloon HONG KONG 電話 Tel: 1822 6203453 傳真 Fax: 電郵 e-mail: rrlam@power.com			
1 報關單 CUSTOMS DECLARATION <input type="checkbox"/> 文件 document <input type="checkbox"/> 貨品 merchandise <input type="checkbox"/> 樣本 sample <input type="checkbox"/> 禮物 gift <input type="checkbox"/> 其他 others			
2 內載物品詳情及數量 Quantity & detailed description of contents 1			
3 重量 (公斤) Weight (kg)		4 價值 (港幣) Value (HK\$)	
5 只適用於貨品/樣本 For merchandise / sample only If known, its total number and country of origin of goods		總重量 (公斤) Total weight (kg)	
總價值 (港幣) Total value (HK\$)		數量 No.	
收件人姓名及地址 NAME AND ADDRESS OF ADDRESSEE Clerk of Court District Court of Delaware 844 North King Street Wilmington Delaware USA 郵遞區號碼 Postal Code 19801 電話 Tel: 傳真 Fax:			
證明文件及 發貨單數目 Number of certificates and invoices			
派遞收條 DELIVERY RECEIPT (派遞時填寫 To be completed at the time of delivery)			
收件人姓名 Name of recipient		時間 Time	
日期 Date		簽署 Signature	
及公司印章(公司適用) and Company Chop (for business only)			

派遞收條 DELIVERY RECEIPT

CN

報關單 CUSTOMS DECLARATION

收件人副本 ADDRESSEE'S COPY

FOR 文



特快專遞

Speed Post


 MGK  
 14/09/2020